

**ASSEMBLY BILL**

**No. 3035**

**Introduced by Assembly Member Laird**

February 24, 2006

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An act to amend Sections 67655 and 67675.3 of the Government Code, relating to military base reuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 3035, as introduced, Laird. Fort Ord Reuse Authority Act: reuse plan.

The Fort Ord Reuse Authority Act requires the governing board of the Fort Ord Reuse Authority to develop a reuse plan for the transition of Fort Ord from military to civilian use.

The act requires each county or city with territory occupied by Fort Ord to submit to the board its general plan or amended general plan, according to specified criteria. The board is required to certify or refuse to certify, in whole or in part, the portion of the plan or amended plan applicable to the territory of Fort Ord, within 90 days of its submittal by the county or city.

This bill would instead require the board to certify or refuse to certify, in whole or in part, the portion of the plan or amended plan applicable to the territory of Fort Ord, within 120 days of its submittal by the county or city.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 67655 of the Government Code is  
2     amended to read:

67655. Unless the context otherwise requires, the definitions contained in this chapter govern the construction of this title.

(a) “Authority” means the Fort Ord Reuse Authority.

(b) “Base-wide facility” means a public capital facility which, in the judgment of the board, is important to the overall reuse of Fort Ord, and has significance beyond any single city or the unincorporated area of the county.

(c) “Board” means the governing board of the authority, as specified in Section 67660.

(d) “Fort Ord Reuse Plan” means the plan for the future use of Fort Ord adopted pursuant to Section 67675.

(e) “Legislative body” means the city council of a city or the board of supervisors of a county, or the legislative body or governing board of any other public agency.

(f) “Local facility” means a public capital facility which, in the judgment of the board, is important primarily within a single city or the unincorporated area of the county.

(g) “Member agency” means the County of Monterey and the City of Carmel, the City of Del Rey Oaks, the City of Marina, the City of Sand City, the City of Monterey, the City of Pacific Grove, the City of Salinas, or the City of Seaside.

(h) “Fort Ord,” including references to the territory or area of Fort Ord, means the geographical area described in the document entitled “Description of the Fort Ord Military Reservation Including Portion of the Monterey City Lands Tract No. 1, the Saucito, Laguna Seca, El Chamisal, El Toro and Noche Buena Ranchos, the James Bardin Partition of 1880 and Townships 14 South, Ranges 1 and 2 East and Townships 15 South, Ranges 2 and 3 East, M.D.B. and M. Monterey County, California,” prepared by Bestor Engineers, Inc., and delivered to the Sacramento District Corps of Engineers on April 11, 1994.

(i) “Public capital facilities” means all public capital facilities described in the Fort Ord Reuse Plan, including, but not limited to, roads, freeways, ramps, air transportation facilities and freight hauling and handling facilities, sewage and water conveyance and treatment facilities, ~~school, library,~~ *schools, libraries,* and other educational facilities, and recreational facilities, that could most efficiently and conveniently be planned, negotiated, financed, or constructed by the authority to further the integrated future use of Fort Ord.

(j) “Redevelopment authority,” for purposes of the transfer of property at military bases pursuant to Title XXIX of the National Defense Authorization Act for the 1994 fiscal year, means the Fort Ord Reuse Authority, except that, with respect to property within the territory of Fort Ord that is transferred or to be transferred to the California State University or to the University of California, “redevelopment authority” solely for purposes of the transfer of property at military bases pursuant to Title XXIX of the National Defense Authorization Act for the 1994 fiscal year means the California State University or the University of California, and does not mean the Fort Ord Reuse Authority.

SEC. 2. Section 67675.3 of the Government Code is amended to read:

67675.3. (a) The board shall, within ~~90~~ 120 days after the submittal, after a noticed public hearing, either certify or refuse to certify, in whole or in part, the portion of the general plan or amended general plan applicable to the territory of Fort Ord.

(b) Where a general plan or amended general plan is refused certification, in whole or in part, the board shall provide a written explanation and may suggest modifications, which, if adopted and transmitted to the board by the county or a city, will allow the amended general plan to be deemed certified upon confirmation of the executive officer of the board. The county or a city may elect to meet the board’s refusal of certification in a manner other than as suggested by the board and may then resubmit its revised general plan to the board. If the county or a city requests that the board not recommend or suggest modifications which if made will result in certification, the board shall refuse certification with the required findings.

(c) The board shall approve and certify the portions of a general plan or amended general plan applicable to the territory of Fort Ord, or any amendments thereto, if the board finds that the portions of the general plan or amended general plan applicable to the territory of Fort Ord ~~meets~~ *meet* the requirements of this title, and ~~is~~ *are* consistent with the Fort Ord Reuse Plan.